

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20____

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION VACATING RAILROAD AVENUE, A PAPER STREET, BY SUMMARY VACATION IN THE UNINCORPORATED COMMUNITY OF EDNA SUPERVISORIAL DISTRICT NO. 3

The following resolution is now offered and read:

WHEREAS, certain roadways were identified by "Map of Maxwellton, San Luis Obispo County, California, Being a Re-Subdivision of a part of lots No. 55 and 56 of J.T. Stratton's Subdivision of the Ranchos Corral De Piedra, Pismo & Bolsa De Chemisal, surveyed April 1894 by Chas. W. Henderson" recorded in Book B of Maps, at Page 41, in the office of the County Recorder of said County and State in the unincorporated area of Edna in the County of San Luis Obispo, more particularly described in Attachment "A," attached hereto and made a part hereof; and

WHEREAS, the portion of Railroad Avenue as described in the attached Attachment "A" (hereafter, the "Subject Area") is not identified in the County Maintained Road System and is unnecessary for present or prospective public use; and

WHEREAS, this vacation is made pursuant to California Streets and Highways Code Section 8331; and

WHEREAS, pursuant to California Government Code Section 65402(b), the Subject Area is appropriate for Summary Vacation without a general plan conformity report by the Planning Commission, because the vacation is minor in nature, and in no way affects traffic circulation; and

WHEREAS, the owner of the affected property has requested vacation of the Subject Area to clarify title to their land; and

WHEREAS, the County Director of Public Works has recommended abandonment by Summary Vacation; and

WHEREAS, it is in the public interest that the Subject Area be vacated.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of San Luis Obispo, State of California, finds, declares and determines as follows:

1. That the recitals set forth above are true and correct.
2. That this Board finds, from all of the evidence submitted, that the Subject Area, more particularly described in Attachment "A" attached hereto and made a part hereof, is unnecessary for present or prospective public use.
3. That this Board has determined, pursuant to Streets and Highways Code, Section 892, that the Subject Area is not useful as a non-motorized transportation facility, as defined in Streets and Highways Code Section 887.
4. That it be and hereby is ordered that said Subject Area south of the City of San Luis Obispo, and more particularly described in Attachment "A" attached hereto and made a part hereof, is vacated.
5. That in support of this Board's decision to summarily vacate said Subject Area, this Board makes the following findings:
 - a. Vacation of Subject Area will not impair public or private access.
 - b. Vacation of Subject Area will not affect existing traffic circulation.
 - c. No public funds have been used in maintaining the Subject Area.
 - d. No public facilities are located within the Subject Area.
 - e. That prior to adopting this Resolution, this Board, pursuant to California Government Code Section 65402(a), determined that the Subject Area is appropriate for summary vacation without a general plan conformity report by the Planning Commission because the vacation is minor in nature, and in no way affects traffic circulation.
6. That the County Clerk of the County of San Luis Obispo be and hereby is ordered and directed to record a certified copy of this resolution, attested by the Clerk under seal, in the Office of the County Recorder of the County of San Luis Obispo, State of California.
7. That upon such recordation, the vacation is complete.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted on the ____ day of _____, 20__.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: 
Deputy County Counsel

Dated: May 28, 2014

L:\DESIGN\JUN14\BOS\Railroad St Gambriel Sum Vac rsl.doc.PA:lc

STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____
day of _____, 20_____.

(SEAL)

County Clerk and Ex-Officio Clerk of the Board
of Supervisors

By _____
Deputy Clerk.

ATTACHMENT A (PAGE 1 OF 2)

LEGAL DESCRIPTION
Road Abandonment

That portion of Railroad Avenue in the County of San Luis Obispo as shown on the map of Maxwellton filed in Book B of Maps at page 41, in the office of the County Recorder of said County, described as follows:

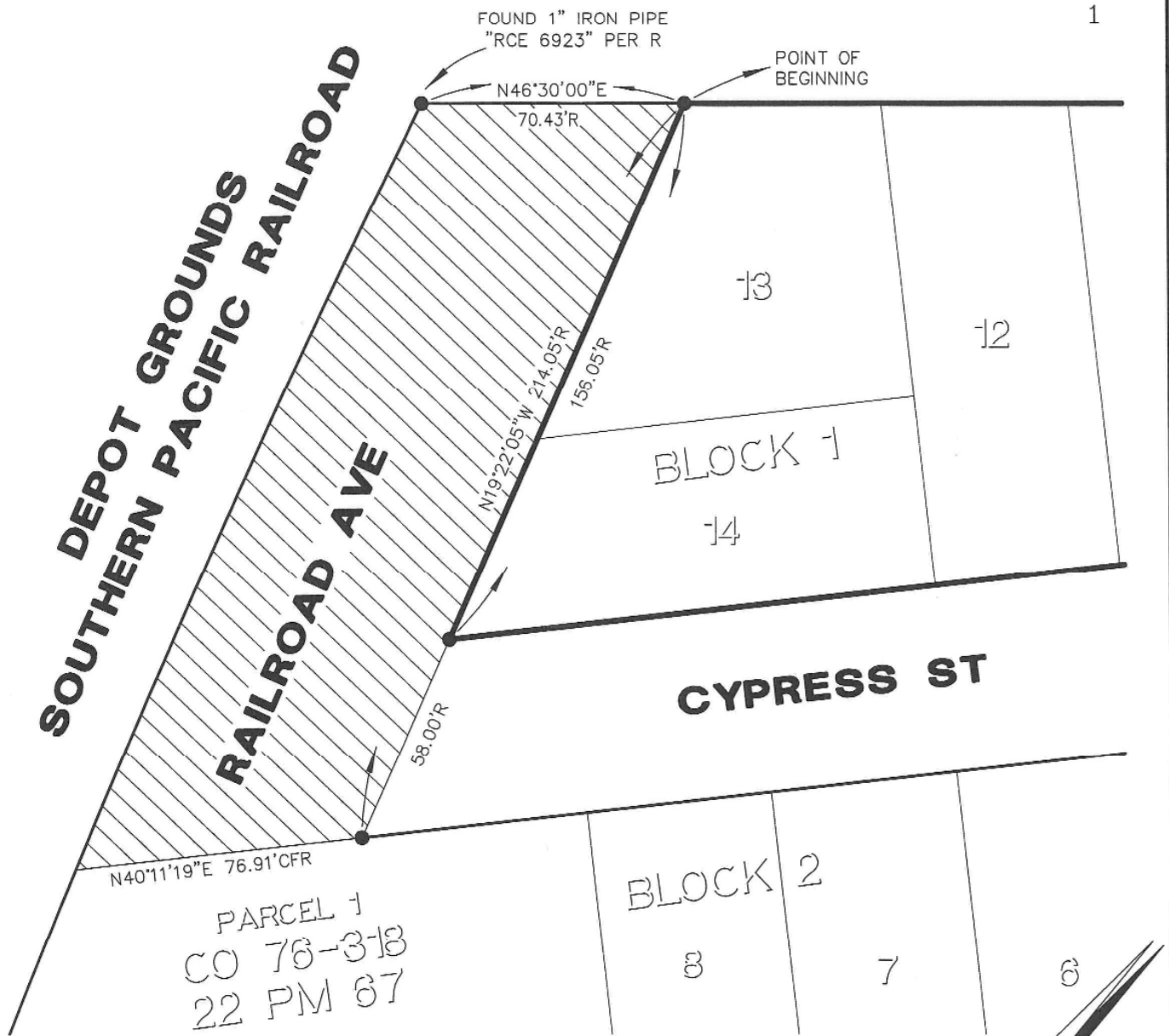
Beginning at the most westerly corner of Lot 13 in Block 1 of the Map of Maxwellton as evidenced by a 1" iron pipe with tag stamped "LS 5702" as shown on the Record of Survey filed in Book 107 of Licensed Surveys at page 69, records of said County;

1. Thence South 19°22'05" East, along the westerly line of said Block 1 and southerly extension thereof, 214.05 feet to a 1" iron pipe with tag stamped "LS 5702" at the intersection of the southeasterly line of Cypress Street with the easterly line of Railroad Avenue as shown on said Record of Survey;
2. Thence South 40°11'19" West along the southwesterly extension of said southeasterly line of Cypress Street, 76.91 feet, more or less, to a point on the westerly right-of-way line of Railroad Avenue;
3. Thence northerly along said westerly right-of-way line and easterly boundary of the Southern Pacific Railroad Depot Grounds as shown on said map of Maxwellton to a 1" iron pipe with tag stamped "LS 5702" at the intersection of said westerly right-of-way line with the southwesterly extension of the northwesterly line of said Block 1 as shown on said Record of Survey;
4. Thence North 46°30'00" East, along said extension of the northwesterly line of Block 1, a distance of 70.43 feet to the point of beginning.

The above-described parcel is graphically shown on Exhibit B attached hereto and made a part hereof.

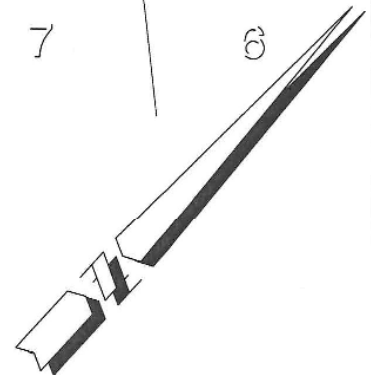
 5-21-2014
Michael B. Stanton, P.L.S. 5702 Date





LEGEND

- R=RECORD PER 107 LS 69
 ●=FOUND 1" IRON PIPE WITH TAG
 STAMPED "LS 5702" PER R



GRAPHIC SCALE IN FEET



MICHAEL B. STANTON, PLS 5702
 3563 SUELDO ST. UNIT Q
 SAN LUIS OBISPO, CA 93401
 805-594-1960

JOB NO. 11-046